

**CONSERVATION COMMISSION
MEETING MINUTES**

NOVEMBER 30, 2004

PRESENT: James Gage, David Hurley, Glenn Eberly, Jesse Amsel, and Shawn Costello

ABSENT: Walter Moody

STAFF

PRESENT: Reanna Goodreau, Recording Secretary

I. CALL TO ORDER:

Chairman Costello called the Ellington Conservation Commission meeting to order at 7:05 PM.

II. PUBLIC COMMENTS: NONE

III. NEW BUSINESS:

MOVED (GAGE), SECONDED (COSTELLO) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA: DISCUSSION OF A RIGHT-OF-WAY ON TOWN-OWNED OPEN SPACE, ASSESSOR'S PARCEL NUMBER 123-003-0005.

1. Discussion: Right-of-Way on Town-Owned Open Space.

Commissioner Gage explained that the property owner who has rights to the right-of-way has been cutting trees and grading in the right-of-way in order to log his land. Mr. Gage requested that the commission request that the Town Attorney send a letter to the owner asking his intentions with his property. Reanna Goodreau explained that this is a property rights issue and that it has been brought to the Town Attorney's attention. Town Attorney and First Selectman had determined that the rights were not clear based on the easement language, so they decided it was in the best interest of the Town not to pursue legal action regarding the rights to the right-of-way at that time.

MOVED (GAGE), SECONDED (COSTELLO) AND PASSED UNANIMOUSLY TO REQUEST THAT THE TOWN ATTORNEY SEND A LETTER TO THE OWNER OF (ASSESSOR'S PARCEL NUMBER 143-010-0002) WHO HAS THE ROW OVER THE TOWN-OWNED OPEN SPACE PARCEL (ASSESSOR'S PARCEL NUMBER 123-003-0005), INQUIRING ABOUT HIS INTENTIONS FOR THE USE OF HIS PARCEL.

IV. UNFINISHED BUSINESS:

1. Status: Porter Road Open Space Purchases.

Commissioner Gage showed the commissioners a map that highlighted the state and town-owned properties. He noted that two more property owners have agreed to sell their properties and pointed them out. Mr. Gage noted that these properties fall within the existing grant.

MOVED (GAGE), SECONDED (AMSEL) AND PASSED UNANIMOUSLY TO EXPRESS TO THE BOARD OF SELECTMEN THAT THE CONSERVATION COMMISSION SUPPORTS THE PURCHASE OF TWO PORTER ROAD PROPERTIES, ASSESSOR'S PARCEL NUMBERS 144-008-0001 & 144-001-0000 FOR PURPOSES OF OPEN SPACE PRESERVATION.

2. Commission Workshop on Open Space Plan.

Reanna Goodreau noted that no additional work has been completed on the draft open space plan. Peter Charter asked what the delay was in completing the draft. Chairman Costello noted the completion of the draft plan has been delayed since the commission does not have the funding to hire someone to aid in completing the plan and that staff has many other initiatives that are taking time away from allowing the Planner to complete the draft plan. Mr. Costello noted that the commission had sent a memo to the First Selectman asking him to hold other initiatives assigned to the Planner until the draft was completed, but they have not had a reply. Mr. Charter suggested the commission re-send the letter to be addressed to the Board of Selectmen so that it would be included at their December meeting.

BY CONSENSUS, THE COMMISSION REQUESTED THAT THE LETTER REGARDING THE OPEN SPACE PLAN THAT WAS SENT TO THE FIRST SELECTMAN DATED 9/29/04 BE RE-ADDRESSED TO INCLUDE THE BOARD OF SELECTMEN & SENT TO THE FIRST SELECTMEN'S OFFICE TO BE INCLUDED FOR THE BOARD OF SELECTMEN'S 12/13/04 MEETING AGENDA PACKETS.

3. Discussion: Open Space Fee-In-Lieu.

Reanna Goodreau gave overview of several appraisals for recent subdivisions. She noted that the fee in-lieu varies from approximately \$800 per lot to approximately \$5,000 per lot. Mrs. Goodreau also explained that at the November 22, 2004 PZC meeting, the commission rejected an appraisal they felt was too low and required a higher fee in-lieu. She stated that if any members wanted a copy of the overview, they could let her know.

V. ADMINISTRATIVE BUSINESS:

1. Discussion: Project with Yale's School of Forestry.

Reanna Goodreau stated that she would check the status with the Town Planner.

2. Approval of the October 26, 2004 Meeting Minutes.

MOVED (HURLEY), SECONDED (EBERLY) AND PASSED UNANIMOUSLY TO APPROVE THE OCTOBER 26, 2004 MEETING MINUTES.

3. Correspondence:

- a. Memo to Land Use Agencies from Matt Davis, dated 10/19/04.
- b. Memo to Dennis Milanovich from EDC, dated 10/25/04.
- c. Memo to BOS & BOF from CC, dated 11/3/04.
- d. Memo to Land Use Agencies & DRB from PZC, dated 11/4/04.
- e. Purcell Associates Newsletter, dated November 2004.

So noted.

VI. ADJOURNMENT:

**MOVED (AMSEL), SECONDED (HURLEY) AND PASSED UNANIMOUSLY TO ADJOURN
THE MEETING AT 7:49 PM.**

Respectfully submitted,

Reanna Goodreau
Recording Secretary